

scheduled fine for any moving traffic violations under chapter 321 as provided in this section shall be doubled ~~or shall be set at one hundred dollars, whichever is less~~, if the violation occurs within any road ~~construction~~ work zone, as defined in section 321.1.

Sec. 60.

1. Chapters 325, 327, and 327A, Code 1997, are repealed.

2. Section 321E.26, Code 1997, is repealed.

Sec. 61. EFFECTIVE AND IMPLEMENTATION DATES.

1. Sections 12, 32 through 56, 58, and 60, subsection 1, of this Act take effect January 1, 1998.

2. Section 6 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 1, 1997

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## CHAPTER 105

### LEGALIZATION OF SERGEANT BLUFF URBAN REVITALIZATION PLAN

*H.F. 717*

**AN ACT** to legalize the proceedings taken by the Sergeant Bluff city council to grant an urban revitalization tax exemption for certain property and providing an effective and retroactive applicability date.

WHEREAS, the city of Sergeant Bluff decided in February of 1996 to designate a portion of the city as an urban revitalization area under chapter 404; and

WHEREAS, Sioux City Brick and Tile held a groundbreaking ceremony on April 11, 1996, and began construction on property within the urban revitalization area on August 1, 1996; and

WHEREAS, the Sergeant Bluff city council adopted, on December 17, 1996, a resolution in accordance with section 404.2 stating the necessity for establishing the urban revitalization area in which property owned by Sioux City Brick and Tile would be eligible for the urban revitalization property tax exemption; and

WHEREAS, the Sergeant Bluff city council held a public hearing on the proposed urban revitalization area and adopted the plan for the revitalization area in accordance with section 404.2 on January 28, 1997; and

WHEREAS, the Sergeant Bluff city council erroneously believed that the Sioux City Brick and Tile property would be qualified for the urban revitalization tax exemption as of January 28, 1997, even though construction was completed prior to that date; and

WHEREAS, section 404.3, subsection 7, requires the construction to be undertaken during the period in which the property was in a designated urban revitalization area; NOW THEREFORE,

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. All proceedings taken by the Sergeant Bluff city council regarding the adoption of the urban revitalization plan are hereby legalized and constitute a valid adoption of an urban revitalization plan.

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable on and after April 1, 1996.

Approved May 1, 1997

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## CHAPTER 106

### WORKERS' COMPENSATION — OUT-OF-STATE INJURIES AND CLAIMS

S.F. 109

**AN ACT** relating to workers' compensation coverage for injuries that occur and claims made outside of the state.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 85.71, Code 1997, is amended to read as follows:

**85.71 ~~EMPLOYMENT~~ INJURY OUTSIDE OF STATE.**

If an employee, while working outside the territorial limits of this state, suffers an injury on account of which the employee, or in the event of death, the employee's dependents, would have been entitled to the benefits provided by this chapter had such injury occurred within this state, such employee, or in the event of death resulting from such injury, the employee's dependents, shall be entitled to the benefits provided by this chapter, ~~provided that if~~ if at the time of such injury any of the following is applicable:

1. The employment is principally localized in this state, that is, the employee's employer has a place of business in this or some other state and the employee regularly works in this state, or if the employee's employer has a place of business in this state and the employee is domiciled in this state, ~~or~~.

2. The employee is working under a contract of hire made in this state in employment not principally localized in any state, ~~or~~ and the employee spends a substantial part of the employee's working time working for the employer in this state.

3. The employee is working under a contract of hire made in this state in employment principally localized in another state, whose workers' compensation law is not applicable to the employee's employer, ~~or~~.

4. The employee is working under a contract of hire made in this state for employment outside the United States.

Sec. 2. **NEW SECTION. 85.72 CLAIMS FOR BENEFITS MADE OUTSIDE OF STATE — RESTRICTIONS — CREDIT.**

1. An employee, or an employee's dependents, shall not be entitled to benefits under this chapter if the employee or the employee's dependents has initiated a judicial proceeding or a contested case or other similar proceeding for the same injury, disability, or death pursuant to the laws of another state or country concerning workers' compensation, and the employee or the employee's dependents receives benefits following resolution of the proceeding pursuant to a settlement, judgment, or award.

2. If an employee, or an employee's dependents, initiates a judicial proceeding or a contested case or other similar proceeding for benefits pursuant to the laws of another state or country concerning workers' compensation, any proceeding initiated by an employee, or an employee's dependents, for workers' compensation benefits under this chapter for the same injury, disability, or death shall be stayed, without prejudice, pending resolution of the out-of-state claim for benefits.